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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MICHAEL R. MARCUS and VICTORIA L.
MARCUS,

Plaintiffs,

vs.

AIR & LIQUID SYSTEMS CORPORATION,
et al.,

Defendants.

Case No.: 4:22-cv-09058-HSG

[Alameda County Superior Court Case No.:
22CV021840]

**STIPULATION REQUESTING THAT
THE *VENIRE* BE QUESTIONED
ABOUT CONFLICTS OF INTEREST;
ORDER**

Courtroom: 02, 4th Floor

District Judge: Hon. Haywood S. Gilliam Jr.

Filed in State Court: November 15, 2022

Removed to NDCA: December 21, 2022

Trial Date: September 9, 2024.

1 Plaintiffs Michael R. Marcus and Victoria L. Marcus (“Plaintiffs”) and Defendants
 2 (collectively the “Parties”) hereby stipulate as follows:

3 To ensure that the *venire* has no improper conflict of interest with the parties to the trial,
 4 the attorneys at trial, or the witnesses that will testify, the Parties jointly request that the *venire*
 5 be shown a list of relevant names, and asked whether they or their families have ever worked
 6 with/for, done business with/for, had a financial interest in, or some other close connection with
 7 any of the listed names or companies.

8 The list of relevant names is currently as detailed below. The list is subject to change if
 9 further parties resolve and further witnesses are subsequently withdrawn before the potential
 10 jurors are gathered for questioning.

- 11 • Michael R. Marcus
- 12 • Victoria L. Marcus
- 13 • Air and Liquid Systems Corporation
- 14 • Buffalo Pumps, Inc.
- 15 • Armstrong International, Inc.
- 16 • BW/IP, Inc.
- 17 • Byron Jackson Pumps
- 18 • Eaton Corporation
- 19 • Cutler-Hammer, Inc.
- 20 • Foster Wheeler Energy Corporation
- 21 • William Powell Company
- 22 • David L. Amell
- 23 • William F. Ruiz
- 24 • Rabiah N. Oral
- 25 • James Scadden
- 26 • Glen Powell
- 27 • Michael Pietrykowski
- 28 • Mark Tuvim
- Geoffrey Davis
- Jon Sayre
- Elizabeth Bain
- Edward R. Hugo
- Bina Ghanaat
- Frank Petersen
- Robert Bugatto
- Nicole Brown Yuen
- Gary Sharp
- Andrew Sharp

- Laila Rahimi-Keshari
- Elizabeth A. Filson
- Michael R. Marcus Jr.
- Patricia L. Marcus
- Raymond Kalweit
- Calvin Caruthers
- Donald Robin
- Odis Bryce
- Dr. Chao M. Huang
- Dr. Derek M. Low
- Dr. Douglas J. McKee
- Dr. Violeta (Holly) Allman
- Dr. Arnold Brody
- Captain Francis Burger
- Dr. Michael Ellenbecker
- Dr. Murray Finkelstein
- James Mills
- Dr. Allan Smith
- Dell Perelman
- Mark Garavaglia
- Richard Schlenker
- Marin Kraft
- Terrance W. Kenny
- Douglas Goodnick
- Rex Scare
- Thomas Grubka
- Frank Costanzo
- Fred R. Boness
- Julie Goodman
- Nelson Evan
- Thomas Schroppe
- Richard Johnson
- John Brown
- Arthur Christenson
- Robert Heckman
- Michael Kelly
- Robert Tracey
- Lawrence Pires
- A.K. Velan
- Ewart Francois
- Willard E. Painter Jr.
- William J. McClure
- Raymond Masnari
- Sheldon Rabinovitz
- Eric J. Rasmuson

- Walter Zoller
- Samuel A. Forman, M.D.
- Thomas P. Howard, M.D.
- David P. Sargent, Jr. RADM
- John B. Padgett, III, RADM
- Christopher P. Herfel
- Earl D. Gregory, Ph.D., C.I.H.
- Brian A. Taylor, M.D.
- Frank Parker
- Alan C. Brown
- Joel Charm
- Michael Jacko
- Paul LeCour
- Christopher Laus
- Ronald Bagley
- Albert Indelicato
- Charles Blackwell
- Joel Cohen
- Eugene Rogers
- William Kotzum
- Ronald Hill
- Edward Plant
- Donald Trueblood
- Bernard Joseph Radle
- Mark Jordan
- Randall Fuller
- Daniel Pesek
- John Francis Tornetta
- John D. Kendall
- Laura Dolan

DATED: September 3, 2024

Maune Raichle Hartley French & Mudd LLC

By: 

Rabiah N. Oral
Attorney for Plaintiffs

Dated: September 3, 2024

By: /s/ Glen Powell
Glen Powell, Esq.
Attorney for Air & Liquid Systems Corporation

Dated: September 3, 2024

By: /s/ Geoffrey Davis
Geoffrey Davis, Esq.
Attorney for Armstrong International, Inc.; and
William Powell Company

1 Dated: September 3, 2024

By: /s/ Bina Ghanaat
Bina Ghanaat, Esq.
Attorney for Foster Wheeler Energy Corporation;
Eaton Corporation

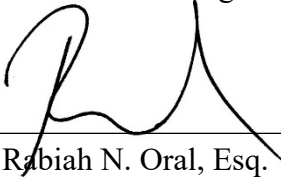
2
3 Dated: September 3, 2024

By: /s/ Laila Rahimi-Keshari
Laila Rahimi-Keshari, Esq.
Attorney for BW/IP, Inc.

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6 **LOCAL RULE 5-1(i)(3) SERVICE AND FILING OF PLEADINGS AND OTHER**
7 **PAPERS**

8 In accordance with L.R5-1(i)(3), I, Rabiah N. Oral, attest that all signatories identified
9 above, and on whose behalf the filing is submitted, concur in the filing's content and have
10 authorized the filing.

11 DATED: September 3, 2024

By: 
Rabiah N. Oral, Esq.
Attorney for Plaintiffs

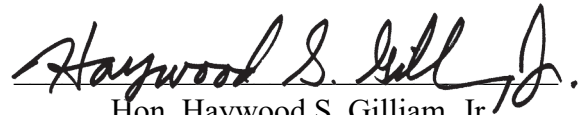
ORDER

Having read and considered the foregoing stipulation of parties, and good cause appearing:

PURSUANT TO STIPULATION, IT IS SO ORDERED that the *venire* will be shown a list of names comprised of the parties to the trial, the attorneys at trial, and the witnesses that will testify to ensure that there is no improper conflict of interest.

IT IS SO ORDERED.

DATED: 9/4/2024



Hon. Haywood S. Gilliam, Jr.

UNITED STATES DISTRICT COURT JUDGE